

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

PATRICIA ANN RAINER, )  
v. )  
Plaintiff, )  
MICHAEL J. ASTRUE, ) CIVIL ACTION NO. 2:09cv345-CSC  
Commissioner of Social Security, ) (WO)  
Defendant. )

## MEMORANDUM OPINION AND ORDER

On August 18, 2009, the defendant filed a motion to remand pursuant to sentence six of 42 U.S.C. § 405(g). *See* Doc. # 11. The plaintiff does not object to remand pursuant to sentence six of 42 U.S.C. § 405(g). In addition, pursuant to 28 U.S.C. § 636(c)(1) and M.D. Ala. LR 73.1, the parties have consented to the United States Magistrate Judge conducting all proceedings in this case and ordering the entry of final judgment. Accordingly, it is

ORDERED as follows that:

1. The defendant's motion to remand (doc. # 11) be and is hereby GRANTED.
2. The decision of the Commissioner be and is hereby REVERSED and this case be and is hereby REMANDED to the Commissioner pursuant to sentence six of 42 U.S.C. § 405(g) for further proceedings.
3. The Clerk of the Court shall close this case pending a final decision by the Commissioner on remand.
4. Within sixty (60) days of the final decision of the Commissioner of Social Security following remand, if the decision is adverse to the plaintiff, the Commissioner shall

file with the Clerk of the Court a motion to reopen and an answer, and shall serve on the plaintiff a copy of the administrative record.

5. Within sixty (60) days of the final decision of the Commissioner of Social Security following remand, if the decision is favorable to the plaintiff, the Commissioner shall file with the Clerk of the Court a motion to reopen and a motion for entry of final judgment for the plaintiff.

Done this 1<sup>st</sup> day of September 2009.

/s/Charles S. Coody  
CHARLES S. COODY  
UNITED STATES MAGISTRATE JUDGE